

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:)	
)	
SANDRA SMILEK-EDWARDS)	Case No. 21-30073-KRH
)	Chapter 13
Debtor)	

DEBTOR'S OBJECTION TO CLAIM NUMBER 7

COMES NOW, the Debtor, by counsel, pursuant to 11 U.S.C. § 502(a) and Bankruptcy Rule 3007, and for Debtor's Objection to Claim Number 7 by AT&T Mobility II, LLC ("AT&T"), states as follows:

1. The Debtor hereby objects to Claim Number 7 by AT&T for a purported unsecured debt in the amount of \$2,313.22 ("Claim"), on the grounds that the Claim is for a debt that was the result of an improper charge back.

2. Upon information and belief of the Debtor, her debt to AT&T was paid in full by the Debtor's father. In order for AT&T to be entitled to recover, it must comply with state law. 11 U.S.C. § 502.

3. Pursuant to 11 U.S.C. § 502(b)(1), the claim should be disallowed because state law bars collection efforts.

WHEREFORE, the Debtor respectfully requests that the foregoing objection be sustained, that Claim Number 7 by AT&T Mobility II, LLC be disallowed, and for such other relief as the Court deems appropriate.

James E. Kane (VSB #30081)
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1313 East Cary Street
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Counsel for Debtor

SANDRA SMILEK-EDWARDS

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
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Email: jkane@kaneandpapa.com
Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof, and will mail a copy hereof by first class mail, postage prepaid, to:

AT&T Mobility II, LLC
AT&T Services, Inc Karen A. Cavagno-Lead Paralegal
One AT&T Way, Room 3A 104
Bedminster, NJ 07921

/s/ James E. Kane
James E. Kane

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NOTICE OF OBJECTION TO CLAIM

The above Debtor has filed an objection to your claim in the above bankruptcy case.

Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to change or eliminate your claim, then, within thirty (30) days of service of this Notice you or your attorney must:

- File with the court, at the address shown below, a written response to the objection and request for a hearing. **Unless a written response is filed and served by the date specified, the court may decide that you do not oppose the objection to your claim.** If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, Virginia 23219

- Attend a hearing scheduled at a later date. You will receive a separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Date: March 24, 2021

SANDRA SMILEK-EDWARDS

By: /s/ James E. Kane
Counsel

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AT&T Services, Inc Karen A. Cavagno-Lead Paralegal
One AT&T Way, Room 3A 104
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/s/ James E. Kane
James E. Kane (VSB #30081)
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